



DEP ISSUE PROFILE

Multi-Sector Industrial Stormwater Program

Updated: October 2005

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Background

As we continue to move forward in protecting and restoring our nation's waterways, stormwater runoff is becoming increasingly important. While stormwater is a natural consequence of rain events, what gets carried in the flow is often not natural. Stormwater picks up pollutants as it runs off roadways, industrial sites, parking lots, lawns, construction sites, and agricultural & forestry activities. What are these pollutants? Everything from sediment due to soil erosion; leaking or spilled gasoline and oil; over-applied or spilled fertilizers, pesticides, and chemicals; paint chips from boat maintenance & bridge cleaning; litter; animal waste; contaminants from failed septic systems; and more. If that runoff reaches a ditch or storm drain, it is likely headed to the nearest waterway without any treatment. Polluted stormwater runoff is the State and National waters leading cause of pollution.

Since 1987, the U.S. Environmental Protection Agency (EPA) has had authority to regulate stormwater discharges through the federal Clean Water Act. EPA developed specific stormwater requirements for construction sites, industrial activities and for discharges to municipal separate storm sewer systems. In 2001, the Maine Department of Environmental Protection (DEP) received authority to administer the federal program. In 2003, DEP issued general permits for discharges from construction activity and discharges to municipal separate storm sewer systems. In October 2005, an additional general permit, known as the Multi-Sector General Permit, was issued for stormwater discharges associated with industrial activity.

A general permit is a "one-size-fits-all" permit that is often applicable to a broad class of activities. Coverage under the permit is automatic if the permittee certifies that all requirements listed in the permit are being complied with. Coverage lasts five years from the effective date of the permit unless otherwise provided or determined by the Department. A person who is subject to regulation, but cannot meet all the requirements of the general permit would need to apply to DEP for an individual permit.

What is the Multi-Sector General Permit for industrial stormwater?

The Multi-Sector General Permit authorizes an industrial activity to discharge stormwater from the site provided the operator of the facility agrees to meet the requirements in the permit to ensure that stormwater will not be contaminated. The permit includes requirements for all activities, as well as specific standards for each listed industrial activity (found in the appendices of the general permit). The DEP issued the Multi-Sector General Permit on October 11, 2005 for a five year period. It replaces a similar general permit that EPA had issued in 2000, which expires October 30, 2005.



Facilities that were previously covered under the EPA permit will need to file for new coverage with DEP.

It is important to note that some discharges from industrial activities are not caused by stormwater. These include, but are not limited to, process wastewater, cooling water, wash water, and rinse water. These non-stormwater discharges are *not authorized* under this permit. Non-stormwater discharges must be covered by an individual wastewater discharge permit.

Who needs a permit?

If the answer to all three of the following questions is yes, a facility will need a permit.

1. Is the facility involved in any of the following industrial activities (taken from Standard Industrial Classification codes)?

Information on SIC codes is available through the U.S. Department of Labor at the following web site: <http://www.osha.gov/pls/imis/sicsearch.html>. DEP staff is also available to provide assistance in determining the appropriate sector(s) for the facility.

* timber products	*coal mining	*ship and boat building or repair
* paper and paper products manufacturing	*oil and gas extraction or refining	*air transportation
* chemical or chemical products manufacturing	*hazardous waste treatment, storage or disposal	*sewage treatment works
* asphalt paving and roofing materials or lubricant manufacturing	*landfill, land application or dump operation	*food manufacturing
* glass, clay, cement, concrete and gypsum product manufacturing	*auto salvage or recycling	* textile or fabric manufacturing
* primary metals manufacturing metal and mineral mining	*recycling facilities	* furniture manufacturing
	*steam electric generation	* printing and publishing
	*land transportation and warehousing	* rubber and plastic manufacturing
	*water transportation	* leather tanning or finishing

2. Are materials or activities (associated with the activities listed in the table above) exposed to rain or snow, now or in the foreseeable future?

If none of the industrial materials and operations are exposed to rain or snow, the facility may be able to certify that the industrial activity has “no exposure.” “No exposure” means that *all industrial materials and activities are protected by a storm resistant shelter* that prevents exposure to rain, snow, snowmelt, and/or runoff. As long as the condition of “no exposure” exists at a certified facility, the operator is excluded from industrial stormwater permit requirements, provided that the operator notifies the permitting authority once every five years, at the start of the general permit cycle. If a facility qualifies for the “no exposure” exclusion, it must apply and certify that it meets all the conditions of the exclusion. Further information is available at DEP’s website at: mainedep.com (follow link for “multisector stormwater (industrial).”)

3. When it rains or the snow melts, does water run off the property to a wetland, lake, river, stream, estuary or ocean, either directly or indirectly through a swale, ditch, road gutter or storm drain?

Water that runs off a site during a rainstorm will typically form a concentrated flow within a short distance, especially if there is any slope to the site. Once it forms such a flow, in most cases it will remain concentrated as it moves down slope. Once it reaches a swale or ditch, it will almost certainly remain concentrated until it flows into a stream, river or some other non-flowing water body.

In some cases, water may be contained on-site (an internally drained gravel pit would be an example of this), or water may discharge to a municipal wastewater treatment system (not to an untreated, separate storm sewer system). In these instances, the activity would not require a stormwater permit.

What are the requirements of the Multi-Sector General Permit?

1. The owner or operator of the facility will have to file a Notice of Intent (NOI) to comply with the general permit and submit the permit fee (\$300.00) to the Maine DEP, 17 State House Station, Augusta, ME 04333-0017. The NOI is a one page form that requires information such as who you are, where you are located, and what activity you do (from the list of industrial activities). Notices of Intent forms are available from the DEP by mail, electronically via e-mail, or online at DEP's web site (www.mainedep.com follow link to Multi-Sector Stormwater (Industrial)). The NOI form and fee are required by **November 14, 2005**, unless the DEP allows additional time for the purposes of scheduling a site inspection, or in the case of new facilities, prior to commencement of operations.
2. A Stormwater Pollution Prevention Plan (Stormwater Plan) will need to be developed and implemented. The Stormwater Plan must be tailored to site-specific conditions and designed with the goal of eliminating or minimizing stormwater contact with potential pollutants through the use of Best Management Practices. The Stormwater Plan is **not** submitted to the DEP but is kept at the permitted facility at all times, in order to be accessible to anyone involved in its implementation and to DEP staff during inspections. The Stormwater Plan must contain the following:
 - a. Drainage map for the facility or site showing where structures, parking and other developed areas are located, where activity occurs and where stormwater runoff goes.
 - b. Inventory of exposed "significant materials." These are any raw materials, waste materials or intermediate materials that are handled, used, processed or generated at a facility that when stored outside and exposed to rain and snowfall, have the potential to leak, leach or decompose and be carried off site with rainwater or snow melt. Anytime significant materials are exposed to stormwater, there is a potential for the polluted stormwater runoff to harm water quality.
 - c. List of Best Management Practices that will manage stormwater runoff and potential pollutants at the facility. Managing stormwater runoff can be accomplished through the use of Best Management Practices. These are practices that focus on changing behavior and facility management, such as by moving materials inside to reduce exposure, prohibiting certain practices, conducting employee training and creating spill prevention plans. They also include measures that control or manage stormwater runoff and drainage, such as enclosures used for covering exposed significant materials, swales, dikes, or stormwater detention basins.
 - d. Preventive maintenance program to ensure that Best Management Practices are inspected and continue to be effective.
 - e. Spill prevention, control and countermeasures plan (Spill Prevention Plan) (if applicable), which addresses the proper handling and storage of materials and the availability of equipment needed to prevent or respond to a spill. Spill Prevention Plans are required for

facilities that handle certain amounts of fuel or hazardous materials. The overall Stormwater Plan should incorporate parts of the Spill Prevention Plan and other management plans located at a site.

f. Provisions for annual reporting that will include the dates and descriptions of site inspections and any Best Management Practices that are utilized.

What if a facility can't meet all the requirements of the Multi-Sector General Permit immediately?

While regulations require that the Stormwater Plan be in place at the time the NOI form is submitted, DEP recognizes that more time may be needed to complete the requirements and is allowing an additional 90 days, until January 15, 2006, to complete the plan, provided immediate steps are taken to correct any existing pollution problems.

The DEP is committed to providing regulated facilities with technical assistance and support to help everyone meet all the requirements of the Multi-Sector General Permit. For a number of regulated sectors, DEP has detailed Best Management Practices manuals to help with everything from choosing and installing appropriate Best Management Practices to completing the required paperwork. This information is available on line or by calling a DEP Office.

Will DEP be inspecting sites and enforcing the new program?

Yes, the DEP will be inspecting facilities to ensure that industrial activities subject to this permit are in compliance. Facilities that fail to submit a timely NOI form, or who do not make a sincere effort to comply with the requirements of the law will be subject to enforcement action.

What will DEP inspectors look for when they conduct an inspection?

During the inspection, the DEP will be looking for the installation of appropriate Best Management Practices, good facility housekeeping, and compliance with all Stormwater Plan requirements (plans and record keeping). If the inspection occurs when there is runoff, the inspector will evaluate stormwater conveyances for stability and contamination.

For More Information

Still have questions or need help? Contact one of DEP's Offices:

Augusta - MDEP's Main office	207-287-3901
Southern Maine Regional Office - Portland	207-822-6300
Eastern Maine Regional Office - Bangor	207-941-4570
Northern Maine Regional Office - Presque Isle	207-764-0477

Or write to:

**Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017**

Please be sure to visit the DEP website through www.MaineDEP.com and look for the "Multi-Sector Stormwater (Industrial)" link.